

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6036

BILL NUMBER: HB 1282

NOTE PREPARED: Nov 6, 2002

BILL AMENDED:

SUBJECT: Treated or Tinted Windows in Motor Vehicles.

FIRST AUTHOR: Rep. Harris

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill makes it a Class B infraction for a person to drive a motor vehicle with covered or tinted windows beyond federal standards, with a medical exception, and a Class A infraction for a person to cover or tint a motor vehicle window in a manner that makes operation of the vehicle a violation of the law, with a medical exception.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: Under current law, a person may not tint a car window in a way that the occupants of the vehicle cannot be easily identified or recognized from outside of the vehicle. Under the bill, window tinting would be separated from other types of window coverings and would have to conform to federal standards. The offense for tinting windows beyond federal standards would be a Class B infraction rather than a Class C infraction. Additionally, it would be a Class A infraction for a person to cover or tint a vehicle window in violation of the law.

Revenue to the state General Fund could increase if an infraction is changed from Class C to Class B. The maximum judgment for a Class C infraction is \$500, while the maximum judgment for a Class B infraction is \$1,000. Proceeds from infraction judgments are deposited in the State General Fund.

If additional court cases occur resulting from the Class A infraction, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class A infraction is \$10,000 which is deposited in the state General Fund. If court actions are filed and a judgment is entered,

a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered for the Class A infraction, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106